

*Sue D2*

54. (New) The composition of claim 52, wherein the carrier is a solid support.

55. (New) A vector comprising the isolated nucleic acid of claims 48 to 51.

56. (New) A host cell comprising the isolated nucleic acid of claims 48 to 51.

57. (New) A method of producing a mammalian protein or polypeptide having the ability to bind the cytoplasmic region of CD40 receptor, which comprises growing the host cell of claim 56 under suitable conditions such that the nucleic acid is transcribed and translated into protein and purifying the protein so produced.

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58. (New) A method of modulating cellular function regulated by the CD40 in a cell, which comprises introducing into the cell an isolated nucleic acid of claims 48 to 51 and growing the cell under suitable conditions such that the nucleic acid is transcribed and translated into CD40bp protein in the cell.

## II. REMARKS

Claims 1 and 34-49 are pending in the subject application. By this Response, claims 1 and 34 have been canceled without prejudice or disclaimer, and claims 48 to 58 have been added. Claim 35 has been amended so as to not depend on a canceled base claim (i.e., claim 1). Claims 39 and 42 and 44 to 46 have been withdrawn from examination by the election set forth in detail below.

The addition of new claims 48 to 58 does not raise an issue of new matter. Support is found in the application papers on page 10, line 25 to page 11, line 24 and page 37, lines 30 to 33 and in the claims as originally filed. Consideration and entry of the new claims is respectfully requested.

Election Of Group

Applicant elects Group I, claims 35-38, 43 and 47, without traverse, for further prosecution in the subject application.

**III. CONCLUSION**

If a telephone interview would advance prosecution of the subject application, the Examiner is invited to telephone the undersigned at the number provided below.

In the unlikely event that the transmittal letter is separated from this document and/or the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 50-0974**, referencing attorney docket no. 128019201702. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Date:

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